

REMARKS

In the Notice of May 22, 2008, the Examiner indicated that the response filed October 26, 2007 was limited to a species not originally presented for prosecution. The Examiner stated that the claims originally were directed to a patient lifter but now were directed to a patient support. However, the claims are directed to the same disclosed invention, only the preamble has changed. The scope of the claims remains the same.

The amendment of October 26 is resubmitted with the change in preamble omitted.

In the Office Action of March 19, 2007, the Examiner rejected claims 6-11, 13 and 14 and 12 as being anticipated by U.S. Patent Publication 2001/0044965 (Blevins) in view of US patent 4653129 (Kuck et al). The Examiner relies upon Kuck et al. for disclosing all claimed features of the railing. Reconsideration of this rejection, in view of amendments made to the claims, is respectfully requested.

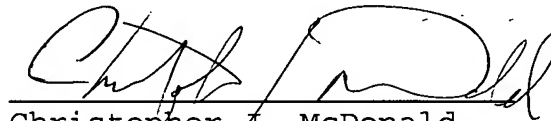
Kuck et al discloses a railing formed by an L-shaped piece 42 having a bend 62. Two rods 54, 58 are pivotally connected to the L-shaped piece and to bracket 52 located below the patient support. These pieces form a four bar linkage allowing the L-shaped member to move as seen in FIG. 6. When moved downwardly, the top of the railing, at the top of the L-shaped piece 42, is proximate the side edge of the support surface 38. The claims have been amended to distinguish the invention from this structure.

Claim 1 now recites that the L-shaped arm has a first section ascending parallel to the support surface and a second section extending upwardly from the first section, the end of the L-shaped arm pivotally connected to the patient support. Kuck et al does not disclose this arrangement as the L-shaped member 42 is not pivotally connected to the patient support. New dependent claims have been added to further distinguish the invention.

Claim 9 recites that the L-shaped arm has a first and second section, the ends of the two sections connected to one another and the other end of the first section pivotally connected to the patient support. Again, the L-shaped member 42 of Kuck et al has a free end which is not pivotally connected to the patient support. Other dependent claims have been presented which also further define the differences between the invention and the cited art.

The claims are allowable and favorable action is eagerly and earnestly solicited. If any fees are due and owing, the Commissioner is authorized to charge Deposit Account 08-2455.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Christopher J. McDonald', written over a horizontal line.

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